



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/685,277

10/14/2003

Sheldon H. Foss JR.

03001.1030

4917

35856

7590

06/21/2010

SMITH FROHWEIN TEMPEL GREENLEE BLAHA, LLC

Two Ravinia Drive

Suite 700

ATLANTA, GA 30346

EXAMINER

GREGG, MARY M

ART UNIT

PAPER NUMBER

3694

MAIL DATE

DELIVERY MODE

06/21/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/685,277	<b>Applicant(s)</b> FOSS ET AL.	
	<b>Examiner</b> MARY GREGG	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-16,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-16 and 21-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The following is a Final Office Action in response to communications received April 02, 2010. Claims 2 and 17-20 have been canceled. Claims 1 and 21 have been amended. No new claims have been added. Therefore, claims 1, 3-16 and 21-22 are pending and addressed below.

#### ***Response to Amendments/Arguments***

##### *Claim Rejections - 35 USC § 103*

2. Applicant's arguments filed April 02, 2010 have been fully considered but they are not persuasive.

In the remarks the applicant argues (1) that the combination of Korman in view of Albrecht and Norris was improper (2) the prior art Korman fails to disclose, teach or suggest the authorization and creation of multiple types of financial accounts, each including the issuance of a corresponding card, via its Super-ATM (3) the prior art combination fails to teach or suggest the limitation "based on user selection of one of the plurality of financial services requiring account creation, base on financial services required data extracting the data and submitting the data for authorization.

In response to argument (1) that the combination of Korman in view of Albrecht and Norris was improper, the examiner respectfully disagrees.

With respect to the combination Korman in view of Albrecht. Korman explicitly teaches an ATM system that dispense prepaid phone cards and dispenses money orders, coupons, tokens (see Col 5 lines 50-55 and Col 6 lines 10-15). Albrecht explicitly teaches the disadvantage of gift and paper certificates in that not all

Art Unit: 3694

certificates are honored by all institutions and are difficult to redeem (see Col 2 lines 7-35) and teaches the advantages purchasing gift credit cards from sponsoring institutions.

...disadvantages to purchasable value systems using paper gift certificates. Such programs are quite costly to the sponsoring institution. A paper gift certificate system **is paper-intensive, including the associated costs of paper and printing.** Paper certificates, frequently in numerous denominations, **must be purchased or printed by the sponsoring institution and stored at retail locations or other locations prior to being placed in circulation.** They must also be stored at retail or other locations after redemption. Another major cost to the sponsoring institution is accounting. **Paper certificates must be tracked prior to use and as they are placed into circulation, frequently by hand-writing the serial numbers of certificates being placed into circulation into a log. After redemption, paper certificates must also be tracked and entered into the sponsoring institution's financial records. Another disadvantage to sponsoring institutions concerns security. Paper certificates can easily be lost, misplaced, or stolen from the sponsoring institution's locations. Further, as with any other paper document, especially those having cash-equivalent value, a risk of counterfeiting exists...**

Korman explicitly teaches prepaid phone cards purchased and dispensed. It would have been obvious to one of ordinary skill in the art at the time of the invention to simply substitute the prepaid phone card as taught by Korman with the gift credit cards from sponsoring institutions as taught by Albrecht given there is teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings (see Albrecht motivation of disadvantage for certificates) to arrive at the claimed invention. See MPEP § 214.3

With respect to the combination in view of Norris, the combination explicitly teaches a network system that permits kiosk-oriented products or services including prepaid phone card dispensing, loyalty cards for retail stores and smart card issuing and

Art Unit: 3694

charging ((Korman) see Col 8 lines 3-13) and is further directed toward deposits and bill pay. The combination of Korman in view of Albrecht teach a system which dispenses gift credit cards. Norris explicitly teaches a kiosk system activated by an ATM wherein the user can apply for a credit card or loan and the underwriting process of the system ((Norris) see Col 6 lines 6-58). Norris explicitly states a need for a method and system for processing financial transactions for a loan or credit card application through a kiosk formation for when time is short for acquiring credit which provides greater convenience, and which closes the existing loop of providing a means to acquire credit that is above the users current limits and less than large loan applications (see Col 2 lines 5-60) which provides some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention. See MPEP § 214 3. The rejection is maintained.

In response to argument (2) the prior art Korman fails to disclose, teach or suggest the authorization and creation of multiple types of financial accounts, each including the issuance of a corresponding card, via its Super-ATM, the examiner respectfully disagrees. The Office action rejected this limitation with Korman in view of Albrecht. According to MPEP 2145, IV, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., Inc., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In combination, Korman explicitly teaches:

Art Unit: 3694

The network architecture permits any type of network-based **kiosk-oriented product or service to be offered**, including bill payment, real-time activated prepaid **phone card dispensing, loyalty cards for retail stores, smart card issuance**

The prior art individually teaches creation of multiple types of financial accounts, in combination with Albrecht the combination further teaches explicitly an authorization process (see Albrecht Col 4) for sponsoring institutions (see FIG. 1, see Col 2 lines 50-63, Col 4). The rejection is maintained.

In response to argument (3) the prior art combination fails to teach or suggest the limitation "based on user selection of one of the plurality of financial services requiring account creation, base on financial services required data extracting the data and submitting the data for authorization, the examiner respectfully disagrees. The prior art Korman although not explicit does teach reading magstripe, bar code, or smart chip card...include a Magnetic Ink Character Recognition which decodes the magnetic ink characters ...converts information from checks or utility bills to digitized information which is used to process the transaction, which fairly suggest required data extracted for financial services. Korman is explicitly directed toward selecting a plurality of financial services (see FIG. 2-3). Norris explicitly teaches "information about the applicant is obtained...from one or more databases...including ...name, address, telephone...credit report" (see Col 3 lines 21-27). Albrecht explicitly teaches authorization data for purchasing gift credit card (see Col 4 lines 10-35). The rejection is maintained.

### ***Claim Objections***

Art Unit: 3694

3. Claim 21 is objected to because of the following informalities: on page 6 the amended claim cites :

"receive session data from said terminal via said second network interface;  
authorize the creation of the financial account, the issuance of a card to the customer at ~~ther~~ terminal, and the provision of the selected financial service based in part “ Please note that the applicant has a minor typo in the amended section of the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 3694

6. **Claims 1, 3-8, 10-16 and 21-22 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,308,887 by Korman (Korman), in view of US Patent No. 5,984,180 by Albrecht (Albrecht) and further in view of US Patent No. 6,105,007 by Norris (Nor).**

In reference to Claim 1:

Korman teaches:

(Currently Amended) A terminal that can be operated by a merchant to provide a plurality of financial services to a customer, the terminal comprising: a data input interface (i.e. ATM/credit/debit card reader with smartchip read/write capability, see col 5, lines 55-67); a user interface (i.e. monitor, touch screen, keyboard, etc, see col 4, lines 49-67); a network interface configured to communication with a server (i.e. communications links, see col 7, lines 10-30); and a processor coupled to said data input interface, said user interface and said network interface (i.e. computer, see col 6, lines 46-67), the processor being operable to: present to the user interface a plurality of financial services available via the terminal ((Korman) in at least FIG. 2-3; col 4, lines 49-67), each of the financial services requiring creation of a financial account and issuance of a corresponding card at the terminal ((Korman) in at least FIG. 2 ref # 140; Col r lines 43-48, Col 5 lines 15-25); receive a financial service selection of one of the plurality of financial services from a customer via the user interface during a session with the terminal (see FIG. 2-3; col 4, lines 49-67, note that the user may make indicate choices; Col 5 lines 39-55, Col 8 lines 26-35)... determine based on the financial service selection required session data; extract the required session data from a data source



Art Unit: 3694

associated with the customer through said data input interface (see Col 4 lines 43-48, col 5, lines 55-67, note “key information about every transaction and every user... stored at host” and that reading magstripe, bar code, or smart chip card...include a Magnetic Ink Character Recognition which decodes the magnetic ink characters ...converts information from checks or utility bills to digitized information which is used to process the transaction, which fairly suggest required data extracted for financial services); provide said session data to said server (see col 5, line 67- col 6, line 1);... and provide during the session and at least partially via the terminal the selected financial service... (see FIG. 2-3; col 4, lines 49-67, note that the user may make indicate choices; Col 5 lines 39-55, Col 8 lines 26-35)...,

Korman suggest but does not explicitly teach:

... receive an authorization from said server to provide the selected financial service and for creating the financial account, the authorization including the server validating the session data against at least one requirement for providing the selected financial service and qualifying the customer for the financial account applying the session data to a risk model comprising underwriting criteria ((Korman) in at least Col 4 lines 43-48, Col 5 lines 15-29, Col 6 lines 19-45; ...including the creation of the financial account and issuance to the customer at the terminal a card associated with the customer's financial account. ((Korman) in at least FIG. 2 ref # 140; Col 5 lines 50-55)

Albrecht teaches:

... each of the financial services requiring creation of a financial account and issuance of a corresponding card at the terminal ((Albrecht) in at least Col 4 lines 10-35,

Art Unit: 3694

59-67)... receive an authorization from said server to provide the selected financial service and for creating the financial account (see Col 4, line 10-Col 5, line 36, note that the CPU issues an instruction for the creation of a second account, see also col 5, lines 45-60, and col 6, lines 9-12 note that once the secondary account is created, a credit instrument is created and sent to the purchaser), the authorization including the server validating the session data against at least one requirement for providing the selected financial service (see col 4, line 10-col 5, line 36, note that the authorization data is compared against that on file for authorization purposes, note also the check against established parameters) and ...underwriting criteria (see col 4, line 10-col 5, line 36, note that the underwriting criteria include credit limit and minimum/maximum criterion) and provide the selected financial service including the creation of the financial account (see col 5, line 45-col 6, line 28, note that the secondary account is created and the card is sent to the purchaser or authorized user who may use it for future credit gift card transactions) ... including the creation of the financial account and issuance to the customer at the terminal a card associated with the customer's financial account ((Albrecht) in at least Col 2 lines 50-63, Col 4 lines 13-36, 58-67) .

Albrecht suggest:

... qualifying the customer for the financial account by applying the session data to a risk model comprising underwriting criteria...((Albrecht) Col 4 lines 45-55).

Nor teaches:

... qualifying the customer for the financial account by applying the session data to a risk model comprising underwriting criteria...((Nor) in at least Col 6 lines 45-52, Col

Art Unit: 3694

7 lines 1-35)... including the creation of the financial account and issuance to the customer at the terminal a card associated with the customer's financial account ((Nor) in at least FIG. 1-2; Abstract; Col 3 lines 43-61, Col 4 lines 3-9, Col 5 lines 1-10, Col 6 lines 35-57, Col 7 lines 62-67, Col 2 lines 40-44, Col 10 lines 15-23) .

Korman teaches a transaction system capable of processing a variety of transactions wherein messages are sent to a variety of service provider in their message formats and based on the message received executes the transaction with the selected provider which encompasses card distribution. The prior art Korman explicitly teaches a cash/multimedia dispenser which purchases and dispenses prepaid phone cards. Korman explicitly teaches an ATM system that dispense prepaid phone cards and dispenses money orders, coupons, tokens (see Col 5 lines 50-55 and Col 6 lines 10-15). Albrecht explicitly teaches providing a solution with respect to the disadvantages of gift and paper certificates in that not all certificates are honored by all institutions and are difficult to redeem (see Col 2 lines 7-35) and teaches the advantages purchasing gift credit cards from sponsoring institutions. Therefore, it is obvious to simply substitute one element for another (i.e. prepaid phone card for credit/debit card) to obtain predictable results as the prior art provides some teaching, suggestion, or motivation that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings (applying a known technique to a known device (method, or product) ready for improvement to yield predictable results) to arrive at the claimed invention (i.e. expand the purchase and dispersing of prepaid

Art Unit: 3694

phone cards of Kor with the method of providing credit from a primary credit account to a secondary account negotiated instrument). See MPEP § 214 3.

Both the combination and Nor are explicitly directed toward determining credit extended and teach authorization data required for the credit to be granted. The combination furthermore explicitly teaches a network system the permits kiosk-oriented products or services including prepaid phone card dispensing, loyalty cards for retail stores and smart card issuing and charging ((Korman) see Col 8 lines 3-13) and is further directed toward deposits and bill pay. The combination of Korman in view of Albrecht teach a system which dispenses gift credit cards. Norris explicitly teaches a kiosk system activated by an ATM wherein the user can apply for a credit card or loan and the underwriting process of the system ((Norris) see Col 6 lines 6-58). Norris explicitly states a need for a method and system for processing financial transactions for a loan or credit card application through a kiosk formation for when time is short for acquiring credit which provides greater convenience, and which closes the existing loop of providing a means to acquire credit and for user needs that are above the users current limits and less than large loan applications (see Col 2 lines 5-60) which provides some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention. See MPEP § 214 3.

In reference to Claim 3:

The combination teaches:

Art Unit: 3694

(Previously Presented) The terminal of claim 1 (see rejection of claim 1 above), wherein said processor is further operable to: update said session data based at least in part on the provision of the financial service and the validation (see Albrecht, see col 5, lines 14-44, note that the primary account is billed based on the establishment of credit for the second account); and write the updated session data to the data source through the data interface (see Korman, col 5, lines 55-67, note the write functionality in combination with the ability to increase or decrease the stored dollar amount) (see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 4:

The combination teaches:

(Previously Presented) The terminal of claim 1 (see rejection of claim 1 above), wherein said processor is further operable to: update said session data based at least in part on the validation (see Albrecht, see col 5, lines 14-44, note that the primary account is billed based on the establishment of credit for the second account); and write the updated session data to the data source through the data interface (see Korman, col 5, lines 55-67, note the write functionality in combination with the ability to increase or decrease the stored dollar amount).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 5:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said processor is further operable to: update said session data based at least in part on the

Art Unit: 3694

provision of the financial service (see Albrecht, see col 5, lines 14-44, note that the primary account is billed based on the use of credit for the second account); and write the updated session data to the data source through the data interface (see Korman, col 5, lines 55-67, note the write functionality in combination with the ability to increase or decrease the stored dollar amount).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 6:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said data interface includes a magnetic card reader (see Korman col 5, lines 55-67, note the MICR reading features).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 7:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said data interface includes a bar code reader (see Korman col 5, lines 53-67, note the bar code reading feature).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 8:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said data input interface includes a scanner (see Korman col 5, lines 53-67, note the MICR

Art Unit: 3694

reader. This fairly suggests a scanner in so far as the magnetic data is both read and decoded. See also col 8, lines 13-19, note that payment is possible with cash, fairly suggesting a scanner since the images of the bills would need to be scanned in recognized in order to determine their amounts).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 10:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes generating a pre-paid card (i.e. gift credit cards of Albrecht, see col 5, lines 37-44, note that they are prepaid in so far as the entire amount may be debited at one time, note also the phone cards below).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 11:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes granting approval for accepting a check (see

Korman, col 5, line 60-col 6, line 4). In reference to Claim 12: The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes providing cash to a customer (see Korman col 6, lines 1-4, note the dispensing of money, see also col 5, lines 39-40).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 13:

Art Unit: 3694

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes performing a transfer of funds between a first and second account (see Korman col 5, lines 53-66 in combination with col 8, lines 13-36, note that the combination fairly suggests the purchase of various items via check. This is a transfer of funds in so far as it is fairly suggested that the account related to the check will be credited to the merchandisers account during a suggested clearing process).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 14:

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes transferring the stored value on a first stored-value card to the balance on a second stored value card (see Korman col 5, lines 52-67 in combination with col 8, lines 13-18). In reference to Claim 15: The combination teaches:

(Previously Presented) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes receiving information identifying the recipient of the bill, the amount of a bill, the source of funds for making the payment of the bill and then executing the payment of the bills (see Korman col 5, lines 60-67 in combination with col 8, lines 13-19).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 16:



Art Unit: 3694

The combination teaches:

(Original) The terminal of claim 1 (see rejection of claim 1 above), wherein said at least one financial service includes generating a pre-paid telecommunications card (see col 5, lines 51-53).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

**In reference to Claim 21:**

Kor teaches:

(Currently Amended) A system for providing financial services, the system including a terminal and a server coupled said terminal, the system comprising: said terminal being operated by a merchant and having a user interface first network interface configured to interface to said server and a data interface configured to receive, during a session with the terminal ((Korman) FIG. 1-2; Col 1 lines 40-63, Col 5 lines 39-55, Col 8 lines 26-35) a data source associated with a customer and being operable to (see Korman col 7, lines 11- 30) present to the user interface a plurality of financial services available via the terminal ((Korman) in at least FIG. 2-3; Col 5 lines 40-67), each of the financial services requiring creation of a financial account and issuance of a corresponding card at the terminal, receive a selection of one of the plurality of financial services; determine based on the selection, required session data ((Korman) in at least FIG. 2 ref # 140; Col 50-55); extract the required session data from said data source via said data interface (see Korman see in at least Col 4 lines 43-48, col 5, lines 55-67, note “key information about every transaction and every user... stored at host” and that reading magstripe, bar code, or smart chip card...include a

Art Unit: 3694

Magnetic Ink Character Recognition which decodes the magnetic ink characters ...converts information from checks or utility bills to digitized information which is used to process the transaction, which fairly suggest required data extracted for financial services);... and perform during the session, said selected financial service ((Kor)in at least FIG. 1-2; Col 8 lines 26-35)... and said server having a second network interface configured to interact said terminal and being operable to (see Korman col 7, lines 11-30): receive session data from said terminal via said second network interface (see Korman col 5, line 67-col 6, line 1))... establish, during the session, said financial account proximate to the validation of the financial service selection ((Kor) in at least FIG. 1-3; Col 3 lines 63-Col 4 lines 20; Col 8 lines 26-35) ; identify additional financial services that are available based on the session data (see Korman col 10, lines 39-44, note that the invention may be used to supply information based on the identity of the user); detect fraudulent or suspicious activity associated with the financial account (see Korman col 5, lines 15-29, col 6, lines 19-35, col 7, lines 39-43 note that fraud is detected/prevented via the use of PIN, biometric and tampering sensors/alarms); and send a validation notice to said terminal via said network interface (see Korman, col 5, line 67-col 6, line 4, note that the FSP authorizes the debit, which allows the terminal to dispense money).

Korman suggest but does not explicitly teach:

... obtain validation from said server; and perform said selected financial service ((Korman);..., authorize the creation of the financial account, the issuance of a card to the customer at the terminal and the provision of the selected financial service based in

Art Unit: 3694

part on said session data by validating the session data against at least one requirement for providing the selected financial service and qualifying the customer for the financial account by applying at least a portion of said session data to a risk model comprising underwriting criteria...((Nor) in at least Col 6 lines 45-52, Col 7 lines 1-35)alter a parameter of the financial account based on aggregated data from other financial accounts and the risk model; ...(see Albrecht col 5, lines 8-17, note that the secondary account is created after the authorization process is successfully completed Albrecht teaches:

...each of the financial services requiring creation of a financial account and issuance of a corresponding card at the terminal, receive a selection of one of the plurality of financial services; determine based on the selection, required session data((Albrecht) in at least Col 4 lines 10-35, 59-67)... obtain validation from said server (see Albrecht col 4, line 10-col 5, line 36, note that the CPU issues an instruction for the creation of a second account, see also col 5, lines 45-60, and col 6, lines 9-12 note that once the secondary account is created, a credit instrument is created and sent to the purchaser); and perform said selected financial service (see Albrecht col 5, line 45-col 6, line 28, note that the secondary account is created and the card is sent to the purchaser or authorized user who may use it for future credit gift card transactions);..., authorize the creation of the financial account and the provision of the selected financial service based in part on said session data by validating the session data against at least one requirement for providing the selected financial service (see Albrecht, col 4, line 10-col 5, line 36);... alter a parameter of the financial account based on aggregated

Art Unit: 3694

data from other financial accounts and the risk model (see Albrecht col 5, lines 37-44 in combination with col 4, line 53- col 5, line 13, note that the primary account is charged, based on the a determination that the transaction is within a prescribed minimum and maximum and less than the available credit of the primary account, note that it is fairly suggested that the credit limit is the result of the risk model in so far as a credit limit is the extent to which the lending entity is willing to risk lending its assets to the account holder); establish said financial account proximate to the validation of the financial service selection (see Albrecht col 5, lines 8- 17, note that the secondary account is created after the authorization process is successfully completed

(see rationale supporting obviousness and motivation to combine of claim 1 above)

In reference to Claim 22:

The combination teaches:

(Original) The system of claim 21 (see rejection of claim 21 above), wherein said terminal is further operable to update said session data after performing said selected financial service (see Albrecht, see col 5, lines 14-44, note that the primary account is billed based on the use of credit for the second account) and send said updated session data to said data source via said data interface. (see Korman, col 5, lines 55-67, note the write functionality in combination with the ability to increase or decrease the stored dollar amount).

(see rationale supporting obviousness and motivation to combine of claim 1 above)

**7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Korman in view of Albrecht, in view of Norris and in further view of APA.**

Art Unit: 3694

In reference to Claim 9:

The combination teaches:

(Original) The terminal of claim 8 (see rejection of claim 8 above), but does not explicitly teach wherein said processor is further operable to apply a template to selectively scan portions of the data source in obtaining the said session data. APA teaches that it is well known in the art to apply a template to selectively scan portions of the data source in so far as check or cash accepting terminals often use templates to identify where amounts, signatures, identifying symbols, etc are located so as to properly recognize or validate checks or cash. It would have been obvious to one having ordinary skill in the art to have provided the check and cash accepting features of Korman with the template feature of APA in order to have facilitated the processing the cash and checks accepted by Korman's invention

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 3694

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARY GREGG whose telephone number is (571)270-5050. The examiner can normally be reached on 4/10.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 5712726712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. G./  
Examiner, Art Unit 3694

/KIRSTEN S APPLE/

Application/Control Number: 10/685,277  
Art Unit: 3694

Page 22

Primary Examiner, Art Unit 3694